

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE MOLYCORP, INC.
SECURITIES LITIGATION

Civil Action No. 13 Civ. 5697 (PAC)

USDC SDNY
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STIPULATION AND [PROPOSED] ORDER

The undersigned counsel for the parties herein submit for the Court's approval the following Stipulation and [Proposed] Order:

WHEREAS, this action (the "Action") was commenced by the filing of a Class Action Complaint on August 14, 2013;

WHEREAS, on September 27, 2013, the Court issued an Order providing that Lead Plaintiff shall file a Consolidated Amended Class Action Complaint within 45 days following entry of the Court's order appointing Lead Plaintiff, and that no response to the Consolidated Amended Class Action Complaint shall be due until a schedule has been stipulated and agreed, or otherwise set by the Court;

WHEREAS, on April 2, 2014, the Court issued an Order appointing Gary Armstrong as Lead Plaintiff in this Action, and Kirby McInerney LLP as Lead Counsel;

WHEREAS, on May 19, 2014, Lead Plaintiff together with additional plaintiffs (collectively, "Plaintiffs") filed a Consolidated Amended Class Action Complaint (the "CAC") that, *inter alia*, added new allegations, new claims, and new defendants [Dkt. No. 28]; and

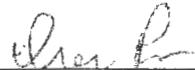
WHEREAS, on May 29, 2014, the defendants submitted a letter to the Court to request a pre-motion conference on defendants' anticipated motion to dismiss the CAC.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to Court approval, as follows:

1. Defendants shall answer, move, or otherwise respond to the CAC within seventy-five (75) days following the Court's entry of this Order.
2. If defendants move to dismiss the CAC, Plaintiffs shall have seventy-five (75) days to file opposition papers, and defendants shall have forty-five (45) days to file any reply briefs.
3. This Stipulation is without prejudice to the parties hereto agreeing, subject to Court approval, to a further extension of time regarding any of the deadlines established herein if circumstances warrant.

AGREED TO AND ACCEPTED, this 29th day of May, 2014.

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June 4, 2014

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